

FCC MAIL SERVICE

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

Nov 19 54 AM '63

**In the Matter of**

**Amendment of Section 73.202(b)  
Table of Allotments,  
FM Broadcast Stations.**

(Boligee, Alabama)

(Vaiden, Mississippi)

MB Docket No. 04-213  
RM-10991

MB Docket No. 04-216  
RM-10994

**REPORT AND ORDER**  
**(Proceeding Terminated)**

**Adopted: October 27, 2004**

**Released: October 29, 2004**

**By the Assistant Chief, Audio Division, Media Bureau:**

1. The Audio Division has before it a multiple docket *Notice of Proposed Rule Making*,<sup>1</sup> specified below, setting forth two separate proposals to amend the FM Table of Allotments, Section 73.202(b) of the Commission's rules.<sup>2</sup> Each petitioner filed comments in support of its proposal reaffirming its intention to apply for the requested channel, if allotted. Each proposal complies with all Commission technical requirements and we continue to believe each proposal would serve the public interest. There were no additional comments or counterproposals received in response to the above-listed dockets. Accordingly, we adopt each proposal as originally proposed. These are as follows:

**A. MB Docket No. 04-213; RM-10991**

**Action:** At the request of Greene County Broadcasting, ("Greene") we are allotting Channel 297A at Boligee, Alabama, as the community's first local aural transmission service.<sup>3</sup>

**Coordinates:** The reference coordinates for Channel 297A at Boligee are 32-48-34 North Latitude and 88-06-27 West Longitude.

<sup>1</sup> *Boligee, Alabama; Jackson, Wyoming; Matagorda, Texas; Vaiden, Mississippi*, 19 FCC Rcd 10095 (MB 2004). The separate proposals for Jackson, Wyoming and Matagorda, Texas remain pending.

<sup>2</sup> 47 C.F.R. § 73.202(b).

<sup>3</sup> Greene provides in its comments information from the Alabama League of Municipalities on the Town of Boligee, including the names of the mayor, town council members, and fire chief. Additionally, Green provides a list of churches located in Boligee. According to the 2000 Census, Boligee is a town with a population of 369 persons and according to the 2000 Rand McNally Commercial Atlas and Marketing Guide, the town is incorporated.

**Additional Information:** This allotment requires a site restriction located 9.5 kilometers (5.9 miles) northwest of the community at the coordinates indicated above.

**FCC Contact:** Helen McLean (202) 418-2738.

**B. MB Docket No. 04-216; RM-10994**

**Action:** At the request of Team Broadcasting Co., Inc., ("Team"), we are allotting Channel 271A at Vaiden, Mississippi, as the community's first local aural transmission service.<sup>4</sup>

**Coordinates:** The reference coordinates for Channel 271A at Vaiden are 33-18-03 North Latitude and 89-42-54 West Longitude.

**Additional Information:** This allotment requires a site restriction located 4.4 kilometers (2.7 miles) southeast of the community at the coordinates indicated above.

**FCC Contact:** Helen McLean (202) 418-2738.

2. Accordingly, pursuant to the authority found in 47 U.S.C. Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) and 47 C.F.R. Sections 0.61, 0.204(b) and 0.283, IT IS ORDERED, That effective December 13, 2004, the FM Table of Allotments, 47 C.F.R. Section 73.202(b), IS AMENDED, with respect to the communities listed below, to read as follows:

<u>Community</u>	<u>Channel No.</u>
Boligee, Alabama	297A
Vaiden, Mississippi	271A

3. The Commission will send a copy of this Report and Order in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, see 5 U.S.C. Section 801(a)(1)(A).

4. The window period for filing applications for these allotments will not be opened at this time. Instead, the issue of opening these allotments for auction will be addressed by the Commission in a subsequent order.

5. IT IS FURTHER ORDERED, That the aforementioned proceedings ARE TERMINATED.

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<sup>4</sup> Team states that Vaiden is an incorporated community and provides a copy of the Act that incorporated the town. Additionally, Team provides an official Mississippi state web site listing of Vaiden as a local government with its own address. Team also provides data from the 2000 Census which shows Vaiden as a town with a population of 840 persons. Team states that Vaiden has an elected mayor and five aldermen, volunteer police and fire departments, churches, businesses, and the Vaiden Public Library.

6. For further information concerning a specific docket, contact the FCC Contact listed above for that docket.

**FEDERAL COMMUNICATIONS COMMISSION**

**John A. Karousos  
Assistant Chief  
Audio Division  
Media Bureau**